

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

KEITH COFFIN, on behalf of himself and
others similarly situated,

Plaintiff,

v.

BLESSEY MARINE SERVICES, INC.,

Defendant.

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CIVIL ACTION NO. 4:11-cv-00214

STATE OF LOUISIANA

PARISH OF ORLEANS

AFFIDAVIT OF STEVEN F. GRIFFITH, JR.

Before me, the undersigned Notary Public, comes

STEVEN F. GRIFFITH, JR.

who after duly being sworn, did depose and state:

1. I am over 18 years of age and enrolled as counsel of record in the captioned matter for defendant, Blessey Marine Services, Inc. ("Blessey Marine").

2. I hereby verify that the items identified on the Bill of Costs submitted on this date are true and correct to the best of my knowledge and that the costs were necessarily incurred in the defense of this matter.

3. Blessey Marine incurred costs of \$12,836.13 as fees of court reporters for transcripts obtained for use in the case: \$11,829.03 for depositions, \$321.20 for hearing transcripts, and \$685.90 in other court reporter fees. These costs are itemized in Exhibit "A," attached hereto.

4. Blessey Marine incurred a cost of \$11,829.03 representing the costs of the depositions in this matter. *Stearns Airport Equip. Co. v. FMC Corp.*, 170 F.3d 518, 535-36 (5th Cir. 1999). The costs of the depositions of the plaintiffs are as follows: (a) Josh Fox - \$832.30; (b) Cody Duke - \$158.00; (c) Mason Fulkerson - 694.20; (d) Gregory Robinson - \$622.80; (e) Jose Rangel - \$750.50; (f) Zachary Latiolais - \$1273.50; (g) Jason Villareal - \$833.70; (h) Freddie McLemore and Eric Jones - \$832.50; (i) Keith Coffin - \$2,410.24; and (j) Dustin Akins - \$2,393.79. In addition, Blessey Marine incurred costs of \$1,027.50 in connection with the depositions of its corporate representatives, Dustyn Grenon and Patrick Voss. Each of these depositions was necessarily obtained for use in this case. Bills reflecting these costs are attached as Exhibit "B."

5. Blessey Marine also incurred costs \$321.20 for hearing transcripts, documentation for which is attached as Exhibit "C." These transcripts were necessarily obtained for use in the case.

6. Blessey Marine also incurred \$685.90 in court reporter fees for transcription services by Exceptional Reporting Service and Digital Scroll Transcription in connection with obtaining transcripts for use in the case. The credit card statements showing these expenses are attached as Exhibit “D.”

7. Blessey Marine also incurred a cost of \$1,043.46 in costs for services by Choice Professional Overnight Copy for scanning documents necessarily obtained for use in the case. These costs are itemized in Exhibit “A,” and the invoices for these costs are attached as Exhibit “E.”

8. All copies at undersigned counsel’s law firm, Baker Donelson Bearman Caldwell & Berkowitz, PC, are made on copy machines utilizing Copitrak software. All copies made at Baker Donelson Bearman Caldwell & Berkowitz, PC require identification of a specific client and matter number, through the use of the Copitrak software, and the software automatically creates a database of all copies made on a particular file as the copies are made. Those costs are, in turn, billed to our clients on a monthly basis. As tracked by the Copitrak software, Blessey Marine incurred a cost of \$1,073.20 in costs for copies of papers necessarily obtained for use in the case. These copy costs are itemized in Exhibit “A.” Jurisprudence supports the taxing of all of Blessey Marine’s copy costs, as they were all necessary to the defense of this matter. *Fogelman v. ARAMCO*, 920 F.2d 278, 285-86 (5th Cir. 1991).

9. Blessey Marine also incurred \$100 for service of a subpoena upon Kirby Inland Marine, which is a former employer of plaintiff Keith Coffin. This cost is listed in Exhibit “A.”

10. Pursuant to the Fifth Circuit’s Mandate [R. Doc. No. 154] and the bill of cost

approved by the Fifth Circuit Clerk of Court [R. Doc. No. 153], costs in the amount \$491.16 should also be taxed to the plaintiffs.

11. Blessey Marine has not included the extensive costs incurred in Westlaw research, facsimile transmissions, courier services, freight services, long distance calls, expert fees, and other costs in the above computations.

12. Based on the foregoing, the total amount of costs that should be taxed to the plaintiffs, as reflected in the Bill of Costs submitted by Blessey Marine, is \$15,543.95.

FURTHER AFFIANT SAITH NOT.

**SWORN TO AND SUBSCRIBED
BEFORE ME, NOTARY, THIS
23rd DAY OF DECEMBER, 2014.**

BY:


Steven F. Griffith, Jr.


NOTARY PUBLIC

MATTHEW C. JUNEAU
Notary Public
LSBA. 33210
State of Louisiana
My Commission is issued for Life

